

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DIVISION OF OHIO**

JANE DOE

CASE 5:18-CV-01870-SL

Plaintiff

JUDGE: SARA LIOI

vs

DAVID ALLEN FOSTER

MOTION TO WITHDRAW

Defendant

Now comes Russell A Buzzelli, former attorney for Plaintiff Jane Doe and respectfully requests of this Honorable Court an Order granting to him permission to withdraw as Counsel in the above captioned matter. For cause, pursuant to Model Rule of Professional Behavior 1.16 (B) (6) & (9), a lawyer may withdraw from representation of a client if representation has been rendered unreasonably difficult by the client. Further, under this rule, representation may be terminated if continued representation results in an unreasonable financial burden on the attorney.

In the instant matter all communications with Plaintiff ceased months ago. Furthermore, the Plaintiff removed her file from Counsel's office, more than two months ago, advising new Counsel would takeover handling this case, with no further communication; thus, resulting in a total breakdown of the attorney client relationship. Finally, Plaintiff is unable to pay for services rendered as required in a fee agreement. Therefore, based on a total breakdown in the Attorney Client relationship, the undue financial burden on Counsel, and Plaintiff's intentional actions, Former Plaintiff's Counsel requests permission to withdraw herein.

Respectfully Submitted,

/s/ Russell A. Buzzelli #0038165  
PO Box 84  
Wadsworth, Ohio 44281  
(330)336-1075 phn

**CERTIFICATE OF SERVICE**

A copy of the above motion, answer instanter, and a separate proposed order were served on the Plaintiff at her published email address of [mbkc1@hotmail.com](mailto:mbkc1@hotmail.com) on January 1, 2019 and on Counsel as follows:

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